

Remarks

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 1, 4, 9, 12, 14 and 15 have been amended. Claims 7, 8 and 19 have been canceled. No claims have been added. Thus, claims 1-6, 9-18 and 20-22 are pending.

Claims 9-16 and 20-22 were rejected as being directed to non-statutory subject matter. The claims have been amended as suggested in the Office Action. Accordingly, Applicants request that the rejection of claims 9-16 and 20-22 as being directed to non-statutory subject matter be withdrawn.

Claims 1, 2, 4, 5, 7-10, 12, 13 and 15-22 were rejected as being unpatentable over “An Interface Integrating Eye Gaze and Voice Recognition for Hands-Free Computer Access,” by Hatfield, et al., November 30, 1997 (*Hatfield*) in view of U.S. Patent No. 5,844,824 issued to Newman, et al. (*Newman*). Claims 7, 8 and 19 have been canceled. Thus, the rejection of claims 7, 8 and 19 is moot. For at least the reasons set forth below, Applicants submit that claims 1, 2, 4, 5, 9, 10, 12, 13, 15-18 and 20-22 are not rendered obvious by *Hatfield* and *Newman*.

Claim 1 recites:

receiving, from an eye interpretation engine, at least an interpretation of eyetracking data corresponding to a plurality of users that are presented with a base interface having a base set of features;
receiving external context data corresponding the interactions of the plurality of users with an application having the base interface, wherein the external context data is related to an operational state associated with a computing device running the application;
determining a *user familiarity* with the base interface; and

dynamically modifying a characteristic of a graphical user interface of the application based, at least in part, on the interpretation of the eyetracking data and the external context data by providing a simplified interface if a low level of *familiarity* is determined and by providing an enhanced set of features of a high level of *familiarity* is determined.

Thus, Applicants claim use of external context data and eyetracking data to determine a *familiarity* from a *plurality of users* to modify characteristics of a graphical user interface. Claims 4, 9, 12 and 15 similarly recite various embodiments of use of external context data and eyetracking data from a plurality of users.

Hatfield discloses a user interface that utilizes both eye gaze data and voice recognition data. *Newman* is cited to teach a system that can be responsive to multiple users. Neither reference teaches or suggests determining a familiarity based on the eyetracking data. Therefore, no combination of the references can teach or suggest dynamic modification based on the determined familiarity. Accordingly, no combination of the cited references can teach or suggest the invention as recited in the independent claims.

Claims 2, 3 and 17 depend from claim 1. Claims 5, 6 and 18 depend from claim 4. Claims 10 and 20 depend from claim 9. Claims 13 and 21 depend from claim 12. Claim 22 depends from claim 15. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2, 5, 10, 13, 16-18 and 20-22 are not anticipated by *Hatfield* for at least the reasons set forth above.

Claims 3, 6, 11 and 14 were rejected as being unpatentable over *Hatfield* and *Newman* in view of U.S. Patent No. 6,608,615 issued to Martins, et al. (*Martins*). As discussed above, no combination of *Hatfield* and *Newman* discloses modifying a

graphical user interface based on information from multiple users and external context information. *Martins* is cited to teach monitoring areas not viewed. Without agreeing with the characterization, Applicants submit that even if the assertion is accurate, *Martins* does not cure the deficiencies of *Hatfield* and *Newman* set forth above. Therefore, the resulting combination does not teach or suggest the invention as claimed in claims 3, 6, 11 and 14.

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-22 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application. Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
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